

## **REMARKS**

### **A. INTRODUCTION**

Claims 13-30 and 70-94 are pending.

Claims 70-94 are subject to restriction. Claim 13 is generic.

Claims 80-94 are currently withdrawn from examination, but will be examined if Claim 13 is found to be allowable.

Upon entry of this Amendment, which is based on a suggestion by the Examiner, Claim 13 will be amended to recite a feature of *in which the second amount of funds is derived directly or indirectly from the first amount of funds*. Applicants submit that the Amendment is sufficient to overcome the Examiner's Section 112 rejections, and that all of the pending claims are in condition for allowance.

Withdrawn Claim 91 (which Applicants anticipate will be examined) will be amended to correct a typographical error in the referenced claim. Claim 91 now correctly refers to Claim 88.

### **B. SECTION 112 (2) REJECTIONS**

Claims 13-30, 78, and 79 stand rejected under Section 112(2) as being indefinite. Applicants respectfully disagree, but, as explained below, have amended independent Claim 13 in accordance with the Examiner's suggestion. As a result, Applicants submit that all of the rejected claims (Claims 13-30, 78, and 79) are in condition for allowance.

#### **1. Independent Claim 13 / Summary of Telephone Interview**

During the Telephone Interview on July 16, 2007, Applicants and the Examiner disagreed as to the indefiniteness of the Applicants' use of *first amount of funds* and *second amount of funds*, without indicating that any relationship exists between the two amounts of funds, in independent Claim 13. Applicants maintain that the Specification does not require any specific relationship, and that Claim 13 clearly contemplates embodiments in which there is a specific relationship, and embodiments where there is not a specific relationship. The Examiner maintains that the Specification requires a specific relationship.

In the Office Action the Examiner states that the portions of the Specification are insufficient to overcome the Section 112 (2) rejection because they do not "answer the question of whether the first amount of funds can be related to the second amount of funds." Applicants respectfully disagree. The cited portions clearly indicate that the amounts of funds do not have to be related,

and in fact, in some cases, are not related. In other words, Applicants have described embodiments in which the amounts of funds are related, and embodiments in which the amounts of funds are not necessarily related. None of the language of any of the claims is fatally inconsistent with the Specification.

However, despite their belief that it is unnecessary, that the Specification fully supports a claim that does not require any specific relationship, and solely in order to expedite examination and allowance of the present Application, Applicants have amended Claim 13 in accordance with a suggestion of the Examiner to provide a feature *in which the second amount of funds is derived directly or indirectly from the first amount of funds*. Applicants reserve the right to pursue additional embodiments (in one or more continuing applications) in which no such direct or indirect relationship is necessarily required.

Applicants are grateful that they could reach agreement with the Examiner that such an Amendment would be sufficient to advance prosecution.

The Examiner indicates that Claims 13-30, 78, and 79 would be allowable if the Section 112 (2) rejections are overcome. Accordingly, Applicants submit that independent Claim 13 (and dependent Claims 14-30, and 70-79) are in condition for allowance. The Examiner's reconsideration and allowance of Claims 13-30 and 70-79 is respectfully requested.

**2. Withdrawn Claims 80-94 are Allowable at least because Generic Claim 13 is Allowable**

The Examiner further acknowledges that if Claim 13, which is deemed generic, is found allowable, examination will commence with the non-elected claims (Claims 80-94), which depend from independent Claim 13. None of those claims has been amended so as to raise a new basis for restriction.

Accordingly, for at least the reasons stated above with respect to Claim 13, Applicants submit that each of withdrawn Claims 80-94 is allowable. The Examiner's reinstatement, examination and allowance of Claims 80-94 is respectfully requested.

**C. PETITION FOR EXTENSION OF TIME TO RESPOND & AUTHORIZATION TO CHARGE APPROPRIATE FEES**

We believe a three-month extension of time is necessary to make this response timely.

Please grant a petition for any extension of time required to make this Response timely.

Charge Amount: \$1050.00

Deposit Account: 50-0271

Order No.: 99-006

Please charge any appropriate fees necessary for this paper and for any accompanying papers to Deposit Account 50-0271. Please credit any overpayment to the same account.

**D. CONCLUSION**

It is submitted that all of the claims are in condition for allowance. The Examiner's reconsideration is respectfully requested.

If the Examiner has any questions regarding this paper or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

Respectfully submitted,

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Date

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